IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLN. NO.571 OF 2007

Mrs.Sunita Shripad Joshi ..Applicant
Vs.
The State of Maharashtra ..Respondent

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Sudatta Patil advocate for applicant
Mr.V.B.Konde-Deshmukh A.P.P. for State

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : JUNE 04, 2007

P.C.

1. Heard the counsel for the parties.

2. The applicant was granted bail by this Court by order dated 3.5.2005 in CR.No.11 of 2005 of M.I.D.C. Kupwad Police Station, Sangli. While granting bail, a condition was imposed on the applicant that the applicant shall not enter within Sangli area till the filing of the charge sheet and the applicant shall deposit her passport with the Investigating Officer. Pursuant to the said direction, the passport of the applicant has been deposited with the I.O.

3. The applicant is now seeking relaxation of the said conditions. As far as the first condition is concerned, the learned counsel submitted that

though two years have passed, since the said order was passed, yet the charge sheet has not been filed and on account of this, the applicant cannot enter District Sangli. The learned A.P.P. on instructions states that there is no objection to this condition being relaxed. In this view of the matter the condition that the applicant shall not enter District Sangli till the filing of the charge sheet, is relaxed. The applicant is allowed to enter District Sangli, however, the applicant shall report to MIDC Kupwad Police, Sangli once in a week till the conclusion of the trial.

4. As far as the second condition of return of passport is concerned, I am inclined to pass the following order.

(i) The applicant is granted permission to go abroad subject to compliance with following conditions:-

(a) The applicant shall deposit a sum of Rs.2,00,000/- with the I.O. or any officer deputed by him. On deposit of the sum of Rs.2,00,000/- by the applicant, the I.O. shall hand over the passport to her;

(b) At the time of receiving passport the applicant shall give the detailed itinerary relating to her travel abroad to the concerned Investigating Officer as well as the address and contact numbers on which she can be contacted while she is abroad.

(c) The applicant shall report to the MIDC Kupwad Police Station, Sangli within a period of seven days from her return to India and shall handover her passport to I.O. or any officer deputed by him. After the applicant surrenders her passport, the cash deposit of Rs.2,00,000/- shall be returned to the applicant.

(d) The applicant shall follow the aforesaid procedure for return of passport for temporary period whenever the applicant requires passport in future, till the conclusion of the trial.

(ii) Parties and the concerned authorities to act upon an authenticated copy of this order.

(iii) Application is disposed of.

[Smt. V.K.Tahilramani, J.]